

JUL 21 2008

UNITED STATES COURT OF APPEALS

JUL 16 2008

FOR THE NINTH CIRCUIT

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

ISIDRO F. DELUNA,

Petitioner - Appellant,

v.

BEN CURRY, Warden,

Respondent - Appellee.

No. 08-16610

D.C. No. 3:07-cv-02491-CRB

Northern District of California,
San Francisco**TIME SCHEDULE
ORDER**

The parties shall meet the following time schedule:

Mon., August 25, 2008

Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

Wed., September 24, 2008

The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Gerald Rosen
Deputy Clerk